

Town of Searsport Mobile Home Park Ordinance

Mobile Home Park Ordinance Table of Contents

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SECTION 1: GENERAL PROVISIONS

A. TITLE

This Ordinance shall be known and may be cited as the “Mobile Park Ordinance of the Town of Searsport, Maine,” and will be referred to herein as the “Ordinance”

B. AUTHORITY

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII of the Maine Constitution.

C. PURPOSES

The purposes of this Ordinance are:

1. To promote the public health, safety, and welfare of the citizens Town;
2. To protect the natural environment from unacceptable adverse impacts;
3. To integrate new development harmoniously into the Town’s physical environment;
4. To promote the development of an economically sound, diverse and stable Community;
5. To establish standards for mobile home park construction and maintenance; and
6. To establish procedures whereby Town officials may review mobile home park proposals by providing fair and reasonable standards for their evaluations and to provide a public hearing process through which Town residents may raise questions and receive answers regarding such proposals.

D. APPLICABILITY

The provisions of this Ordinance shall apply to mobile home parks and mobile home subdivisions as defined by this Ordinance and by Title 30-A, MRSA, Section 4358, within the boundaries of the Town of Searsport.

E. CONFLICT WITH OTHER ORDINANCES

Whenever the requirements of this Ordinance are in conflict with the requirements of any other lawfully adopted rule, regulation, Ordinance, deed restriction or covenant, the more restrictive or higher standard covenant shall govern, unless otherwise prohibited by State Law.

F. SEVERABILITY

In the event that any section, subsection, or provision of this Ordinance shall be declared by any court or competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection, or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

G. AMENDMENTS

1. Initiation

An amendment to this Ordinance may be initiated by one of the following:

- a. The Planning Board, provided a majority of the board has so voted.
- b. Request of the Board of Selectpersons to the Planning Board.
- c. Written petition of 10% of the number of registered voters who voted in the most recent gubernatorial election, in accordance with 30-A MRSA § 2522 or 2528.
- d. An individual may initiate an amendment through any of the above methods.

2. Hearings

All proposed amendments shall be referred to the Planning Board for their recommendation. The Planning Board shall hold a public hearing at least 30 days before the Town Meeting vote on any proposed amendment, and shall make a written recommendation to the Board of Selectmen within 30 days from the public hearing.

3. Majority Vote

After receiving the recommendation of the Planning Board, the amendment may be adopted or rejected by majority vote of the voters at an Annual Town Meeting.

H. EFFECTIVE DATE

This Ordinance, when adopted, and any amendments thereto, shall be effective immediately following its/their adoption or approval at an Annual Town Meeting. A copy of this Ordinance, certified by the Searsport Town Clerk shall be filed with the Searsport Town Clerk.

SECTION II: NONCONFORMING PARKS

A. NONCONFORMING MOBILE HOME PARKS DEFINED

A mobile home park or part thereof not in conformity with the provisions of this Ordinance or subsequent amendments hereto is declared to be a nonconforming mobile home park.

B. LAWFUL NONCONFORMING MOBILE HOME PARKS

A mobile home park in existence or under construction pursuant to Subsection D of this section at the time of the adoption of this Ordinance or subsequent amendments hereto, and which part becomes a nonconforming mobile home park by the adoption of this Ordinance or subsequent amendments, or which park was a lawful nonconforming mobile home park at the time of the adoption of this Ordinance or subsequent amendments hereto, becomes a lawful nonconforming mobile home park.

C. CONTINUANCE ALLOWED

The use of a nonconforming mobile home park may continue.

D. PARKS LEGALLY UNDER CONSTRUCTION NOT REQUIRED TO CHANGE PLANS

This Ordinance shall not require a change in plans or construction of a mobile home park for which an approval or license has been granted prior to the adoption of this Ordinance or any subsequent amendments thereto provided that the construction of said park is underway within sixty (60) calendar days after an approval or license has been granted.

E. EXPANSION PERMITTED

Expansion of a lawful nonconforming mobile home park shall be permitted provided, however, that the expanded portion of the lawful nonconforming mobile home park shall conform to the provisions of this Ordinance.

SECTION III: ADMINISTRATION

A. RESPONSIBILITY ASSIGNED

1. CODE ENFORCEMENT OFFICER'S RESPONSIBILITY

It shall be the responsibility of the Code Enforcement Officer to ~~enforce~~ the provisions of this Ordinance, to carry out inspections as requested by the Planning Board and to approve, approve conditionally, or disapprove mobile home park licenses pursuant to the requirements of this ordinance.

2. PLANNING BOARD'S RESPONSIBILITY

It shall be the responsibility of the Planning Board to review proposals for new mobile home parks and the expansion of existing parks for compliance, as residential subdivisions, with provisions of the Town's Subdivision Ordinance and of this Ordinance

B. PLANNING BOARD SUBDIVISION REVIEW

1. SUBDIVISION REVIEW AND APPROVAL REQUIRED

The Planning Board shall review new mobile home parks and expansions of existing parks as residential subdivisions pursuant to the Town's adopted Subdivision Ordinance.

2. CONFORMANCE WITH SUBDIVISION STANDARDS REQUIRED

New mobile home parks and expansions of existing parks shall conform with the design and performance standards contained in the Town's Subdivision Ordinance unless such standards are in conflict with the provisions of this Ordinance, in which case the provisions of this Ordinance shall take precedent.

C. ANNUAL MOBILE HOME PARK LICENSE REQUIRED

1. LICENSE REQUIRED

No person, firm, or corporation shall establish or maintain a mobile home park within the Town without a license issued, annually by the Code Enforcement Officer, in conformity with the provisions of the Ordinance.

2. APPLICATION TO CODE ENFORCEMENT OFFICER

Application for a license for a new mobile home park and for license renewals, shall be filed with the Code Enforcement Officer who shall inspect the premises along with the Health Officer and prepare a written status report detailing the mobile home park's compliance with the provisions of this Ordinance, State and Federal laws and citing any violation thereof. The Code Enforcement Officer shall consult with the Chief of the Fire Department, Chief of Police, the Road Commissioner, and the Plumbing Inspector in the preparation of said status report.

3. ANNUAL EXPIRATION DATE

Each such license shall expire on the first day of January next following the date of Issuance. Applications for license renewal shall be submitted no later than the fifteenth day of October in order to be acted upon by the first day of January.

4. POSTING OF LICENSE

Such licenses shall be conspicuously posted on the premises at all times and shall not be transferable.

D. MOBILE HOME PERMIT

1. MOBILE HOME PERMIT REQUIRED

No person shall place a mobile home in a mobile home park without first obtaining a mobile home and plumbing permit from the Code Enforcement Officer and notifying the Town Assessor. Notification of the Town Assessor requires a copy of the Bill of Sale of the mobile home to include the year of manufacture, make, model, and dimensions of the home.

2. PERMIT REQUIRED FOR THE REPLACEMENT OF EXISTING MOBILE HOMES

No person shall replace an existing mobile home unit in a mobile home park with another unit without first obtaining a mobile home and plumbing permit from the Code Enforcement Officer and notifying the Town Assessor. Notification of the Town Assessor requires a copy of the Bill of Sale of the mobile home to include the year of manufacture, make, model, and dimensions of the home.

3. DECLARATION FROM MOBILE HOME PARK OWNER

All applications for mobile home permits shall be made to the Code Enforcement Officer in writing and shall be accompanied by a written declaration from the mobile home park operator that the site will be made available to the applicant.

E. CERTIFICATE OF COMPLIANCE REQUIRED

No site in a mobile home park requiring approval under this Ordinance shall be conveyed, rented, leased, or occupied, nor shall any mobile home unit be placed upon such site, without a certificate of compliance issued by the Code Enforcement Officer, indicating that all the required public improvements have been constructed as required and all applicable conditions of approval have been met.

F. VIOLATIONS AND ENFORCEMENT

1. ENFORCEMENT

The Code Enforcement Officer, with the advice and consent of the Town Manager is authorized to institute, or cause to be instituted by the Town Attorney, in the name of the Town of Searsport, any and all actions, legal or equitable that may be appropriate or necessary for the enforcement of this Ordinance.

2. VIOLATIONS MAY RESULT IN LICENSE REVOCATION

The Code Enforcement Officer is hereby authorized to revoke any license issued pursuant to the terms of this Ordinance if after due investigation it is determined that the holder thereof has violated any of the provisions of this Ordinance or any other applicable code, law, or statute.

3. PENALTIES

Any person, firm, or corporation being the owner or operator of, or having control or use of any mobile home, mobile home lot, mobile home park, who violates the provision of these regulations shall be guilty of a misdemeanor, and subject to the penalties provided in title 30-A, MRSA, Section 4452. Monetary penalties may be assessed on a per day basis and shall be treated as civil penalties.

G. APPEALS

Appeals from the decisions of the Planning Board or Code Enforcement Officer shall be made to the Board of Appeals of the Town of Searsport within thirty- (30) days after the rendering of such decisions.

H. FEE SCHEDULE

All application fees for Subdivision Review, Certificate of Compliance, Annual Mobile Home Park License, and Mobile Home Permit shall be paid to the Town of Searsport in accordance with the fee schedule as promulgated by the municipal officers upon recommendation of the Planning Board and Code Enforcement Officer. Fees shall be for the cost of processing the permits and shall not be refundable regardless of the final decision to issue or deny a permit. Advertising costs, technical or legal assistance and associated costs deemed necessary by the Town for the review of applications shall be the responsibility of the applicant.

SECTION IV DESIGN AND PERFORMANCE STANDARDS

A. COMPLIANCE WITH LAWS AND ORDINANCES

Except as stipulated below, mobile home parks shall comply with the design and performance provisions of all applicable state laws and municipal ordinances, and shall meet the requirements of the Searsport Subdivision Ordinance.

B. MINIMUM LOT SIZE AND WIDTHS

Lots in a mobile home park shall meet the following lot size and width requirements:

1. Lots serviced by public sewer:
Minimum lot area: 6,500 square feet.
Minimum lot width: 65 feet.
2. Lots served by individual subsurface sewage disposal system:
Minimum lot area: 20,000 square feet.
Minimum lot width: 100 feet.
3. Lots served by central subsurface wastewater disposal system:
Minimum lot area: 12,000 square feet.
Minimum lot width: 75 feet.

C. MINIMUM LOT SETBACKS

In placing mobile homes on their respective lots, the following requirements shall be met:

1. The following lot setbacks shall apply to all homes and accessory buildings:

Front setbacks:	15 feet
Side setbacks:	15 feet
Rear setbacks:	10 feet

If a lot is on a public road, the setback shall conform with the residential setback requirements applicable to residential dwelling units.
2. So as to avoid monotony and sameness, the Planning Board may allow the front setback on a private road within a mobile home park to be varied provided that no home may be closer than 10 feet from the right-of-way and the average distance is at least 20 feet for all units.
3. The Planning Board may allow lot side yard setbacks to be reduced to 10 feet for the purpose of providing more usable yard space on one side of the home, provided a distance of 20 feet is maintained between units.

D. LOT COVERAGE

All buildings on the lot, including accessory buildings and structures, open decks and parking spaces, shall not cover more than 50% of the lot area.

E. PERMANENT FOUNDATION REQUIRED

All mobile home units within the park used as dwelling units shall be installed on a permanent foundation. If a reinforced floating concrete pad is proposed, a registered professional engineer shall certify the design of such pad as adequate.

F. BUFFER STRIPS

1. A fifty- (50) foot wide buffer strip shall be provided along all property boundaries that:
 - a. Abut residential land which has a gross density of less than half of that proposed in the park; or
 - b. Abut residential land that is zoned at a density of less than half of that proposed in the park.

No structures, streets or utilities may be placed in the buffer strip, except that utilities only may cross a buffer strip to provide services to the park.

2. Within twenty-five (25) feet of any property line and within the buffer strip, visual screening and/or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping, (such as shrubs and trees) and/or natural existing vegetation. This screening shall meet the screening requirements of the Subdivision Ordinance and shall be maintained throughout the life of the project.

G. ROAD STANDARDS

1. OWNERSHIP, DESIGN, AND MAINTENANCE

- a) All roads within the mobile home park shall be owned, constructed, maintained, and serviced by the mobile home park owner.
- b) All roads within the mobile home park shall be designed by a professional engineer, registered in the State of Maine, and shall be designed, constructed, and maintained according to the current edition of "The Standard Specifications for Highways and Bridges of the Maine Department of Transportation", except that such specifications shall not be more restrictive than those developed by the Manufactured Housing Board pursuant to Title 30-A, MRSA, Section 4358 (3),(G), & (H).

2. INTERSECTIONS

Mobile home park roads, which intersect, with public roads shall meet the following standards:

- c. The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees;
- d. Maximum grade within 75 feet of intersection. The maximum permissible grade

within 75 feet of intersection shall be 2%;

- e. The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 ½ feet above the pavement and the height of object 4 ¼ feet. Where necessary, the parkland bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.
- f. The centerline of any street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.

3. ACCESS AND CIRCULATION

- a) Primarily access to the mobile home park must be from a town or state road or a private road built and maintained to applicable Maine Department of Transportation standards.
- b) For mobile home parks consisting of 40 or more units, there shall be at least two entrances from public streets or roads.
- c) On-street parking shall be prohibited unless an eight-foot, paved, parking lane is provided, in which case on-street parking may be permitted on the side of the road where the parking lane is located.
- d) Curvilinear streets shall be utilized wherever possible. No street segment within the park shall be more than 200 feet without a curve or bend.
- e) No mobile home lot may have vehicular access directly onto a state highway.
- f) A traffic impact analysis shall be required if the park consists of 40 or more units.

4. RIGHT-OF-WAY AND PAVEMENT WIDTH

- a) Two-way park roads shall have a minimum right-of-way of 23 feet and a Minimum paved surface of 20 feet. On-street parking shall be prohibited.
- b) One-way streets shall have a minimum right-of-way of 18 feet and a minimum paved surface of 14 feet. On-street parking shall be prohibited.
- c) Parking lanes shall be a minimum of 8 feet in width, if provided.
- d) Cul-de-sac turnarounds shall have minimum radii of 50 feet at the outer edge of the pavement, exclusive of any parking areas.

H. PARKING REQUIREMENTS

1. OCCUPANT PARKING

For each mobile home lot there shall be provided and maintained at least two (2) off-street, paved, parking spaces. Each parking space shall contain a minimum area of one hundred sixty-two (162) square feet, not including maneuvering area, with minimum dimensions of nine (9) feet by eighteen (18) feet. This requirement may be waived if a parking lane provides an equivalent number of spaces.

2. GUEST PARKING

In addition to occupant parking, off-street guest and service's parking shall be provided within the boundaries of the park at a ratio of one (1) space for each four (4) mobile home lots. Such parking shall be paved and the spaces shall be reserved for the sole use of guests to residents of this park. This requirement shall be waived if a parking lane provides an equivalent number of spaces.

I. WALKS

1. GENERAL REQUIREMENTS

The mobile home park shall contain a pedestrian walkway system consisting of common and individual walkways. Such systems shall be designed to link all units, all services, and all recreation facilities, such walks shall be adequately surfaced, lit, and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

2. COMMON WALK SYSTEM

A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated and interferes with automobile traffic. Such common walks shall have a minimum width of six (6) feet. A portion of the road surface may be reserved for common walkways provided the roadway width is increased accordingly.

3. INDIVIDUAL WALKS

All mobile home pads shall be connected to common walks, or to streets, or to driveways or to parking spaces. Such individual walks shall have a minimum width of three (3) feet.

J. LIGHTING

Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impact on adjacent properties.

K. SIGNS

Signs and advertising devices shall be prohibited in a mobile home park except:

1. One (1) identifying sign at each entrance of the mobile home park no larger than 24 square feet, which may be indirectly lit, but not flashing.
2. Directional and informational signs for the convenience of tenants and the public relative to parking, office, traffic movements, etc.
3. Mobile/manufactured home "for sale" signs, provided that such signs that face a public road shall be no more than 10 square feet and shall be limited to two signs per mobile home park.
4. Mobile/manufactured homes address signs. The styles and location of the identifying sign shall not interfere with vehicle sight distance and shall be constructed in accordance with the local sign regulations.

L. STORAGE

1. FUEL SUPPLY AND STORAGE

- a. Natural gas and liquefied petroleum gas systems shall comply with all applicable codes and regulations. Installation of systems shall be subject to inspection and approval by the Code Enforcement Officer.
- b. All fuel oil supply systems shall be constructed and installed in each mobile home lot in accordance with all applicable codes and regulations. Installation of the system shall be subject to inspection and approval of the Code Enforcement Officer.

2. REFUSE STORAGE

Storage of refuse shall be accomplished in such a manner to minimize health hazards, rodent harborage, insect breeding areas, accident, wild fire, obnoxious odors, or air pollution. Refuse shall be in such a manner that domestic or wild animals may not gain access to waste material.

3. TENANT STORAGE

At least 300 cubic feet of enclosed tenant storage facilities shall be conveniently provided on or near each mobile home lot for the storage of materials and equipment.

4. OUTDOOR STORAGE

The mobile home park operator should provide outdoor storage for recreational vehicles, including boats, at a ratio of one (1) storage space per nine (9) developed mobile home lots.

Such an outdoor storage area shall be designed to provide safe vehicular access and circulation, and shall be screened.

M. ACCESSORY STRUCTURES/ATTACHED STRUCTURES

1. Accessory structures may be allowed upon mobile home park lots provided each shall:
 - c. Not exceed a width of sixteen (16) feet or a length of twenty-four (24) feet;
 - d. Be located not less than twenty feet from the street right-of-way, fifteen (15) feet from the rear lot lines and not less than ten (10) feet from a side lot line;
 - e. Not exceed a wall height of eight (8) feet and not exceed a roof high point height of twelve (12) feet;
 - f. Not obstruct required openings for light and ventilation of the mobile home nor prevent inspection of any mobile home equipment or utility connection; and
 - g. Notwithstanding other provisions of this Ordinance, a Building Permit will be issued by the Code Enforcement Officer for accessory structures, such as garages, etc. for individual mobile homes, in mobile home parks, which meet the above requirements.

A building permit must be issued by the Code Enforcement Officer for extensions to mobile homes, such as porches and decks, provided that all extensions shall:

- a) Meet the yard setback and lot coverage provisions of this Ordinance;
 - b) Not be extended to less than ten (10) feet from any other mobile home, accessory structure, building, or structure; and
 - c) Not exceed five hundred (500) square feet in area.
2. Storage facilities, accessory structures, and extensions, such as porches and decks shall not be placed or constructed upon a mobile home lot, in a mobile home park, without first obtaining a Building Permit from the Code Enforcement Officer.

N. UTILITY REQUIREMENTS

All mobile home parks shall provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations, and as follows:

1. WATER SUPPLY

- a. Each mobile home shall be provided with an adequate, safe, potable water supply.
- b. The water supply shall provide a minimum of two hundred (200) gallons of water per day per mobile home, with a minimum of twenty (20) pounds of pressure at all times.
- c. Water supply systems shall be installed and maintained by the mobile home park operator in accordance with applicable provisions of the State of Maine Plumbing Code, and all revisions in effect at that time.

2. SANITARY SEWAGE DISPOSAL

- a. Sanitary sewer systems shall comply with the applicable provisions of the Maine State Plumbing Code, in effect at the time such system is proposed.
- b. Where public sewer is not available, a sanitary sewer system and treatment facility shall be designed and installed under supervision of an engineer registered in the State of Maine.
- c. In the event that public sewer systems shall become accessible at some point in the future, the mobile home park shall comply with the local and state regulations regarding hookup.
- d. The owner and operator of a mobile home park are responsible for the proper construction and maintenance of the sanitary sewer system within the mobile home park.

3. ELECTRIC SUPPLY

- a. A mobile home park shall contain an electrical system designed, installed, and maintained in accordance with applicable state and local regulations.
- b. The electrical system shall be designed and installed under the supervision of an Electrical Engineer registered in the State of Maine or licensed Master Electrician.

O. COMMON RECREATION FACILITIES

No less than eight percent (8%) of the total area of any mobile home park established under this Ordinance shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools, community buildings, ways for pedestrians and cyclists away from streets, and play areas for small children or other recreational areas in block interiors. Common recreational areas shall not include streets or parking areas, shall be closed to automotive traffic except for maintenance and service vehicles, and shall be improved and maintained for the uses intended.

SECTION V: MANAGEMENT STANDARDS

A. NOTIFICATION OF OCCUPANTS REQUIRED

The mobile home park operator shall inform occupants of the existence of this Ordinance and shall indicate that copies of the Ordinance are available at the Town Office.

B. MANAGEMENT STANDARDS

The mobile home park owner shall maintain a register containing the names and lot numbers of the mobile home park occupants. The register shall be available for inspection by state and local authorities upon request during normal business hours.

C. LOT IDENTIFICATION

Each mobile home lot shall have a number supplied by the owner of the mobile home park, and the lots shall be numbered in an orderly, consecutive fashion. Even numbers shall be on one (1) side of a street and odd numbers shall be on the opposite side of a street. This number should be prominently displayed upon the mobile home if possible.

D. STREET NAMES AND SIGNS

Street name signs shall be erected at all street/road intersections. Lettering shall be at least four (4) inches high and in a readily readable type face. Conventional abbreviations are acceptable except for the street name itself. The street name sign should be reflectorized. Proposed street names shall be substantially different from existing street names and approved by the Code Enforcement Officer.

E. PARK OWNER RESPONSIBLE FOR UTILITY CONNECTIONS

The mobile home park owner shall be responsible to ensure that all the connection of utilities, to each mobile home unit, is both safe and made according to law.

F. REFUSE COLLECTION

Collection of refuse shall be conducted at regular intervals. Collection and disposal of refuse shall be the responsibility of the mobile home park operator and shall be accomplished according to state and local regulations.

G. CERTAIN UNITS PROHIBITED IN MOBILE HOME PARKS

Mobile home parks in the Town of Searsport are limited to mobile homes, as defined herein, and

single-wide and double-wide modular homes, but not site-built homes, panelized homes, recreation vehicles, travel trailers, or units not suitable for year-round occupancy.

H. CERTIFICATE REQUIRED BEFORE UNIT REMOVAL

The mobile home shall not be removed from a lot until a written certificate is obtained from the tax collector of the Town of Searsport identifying the mobile home and stating that all property taxes applicable to the mobile home, including those for the current taxed year, have been paid or that the mobile home is exempt from such taxation.

I. LOCATION OF PARKS LIMITED BY ZONING

Mobile home parks shall only be allowed in those zones specified in the Zoning Ordinance of the Town of Searsport, Maine.

J. ACCESSORY STRUCTURES REQUIRE BUILDING PERMITS

Accessory structures shall not be established upon a mobile home lot without a building permit issued by the Code Enforcement Officer of the Town of Searsport.

K. FIRE PROTECTION

A mobile home park shall comply with State and local fire regulations. In the event that an adequate public water supply system should become available after construction of the mobile home park, the mobile home park owner shall connect to such system and the owner shall install water mains of sufficient size to support proper hydrant pressure and flow for fire protection.

L. RUINED UNITS TO BE REMOVED WITHIN 30 DAYS

Units or accessory structures damaged by fire or other causes shall be removed within thirty- (30) consecutive calendar days from the time of their destruction unless a building permit to repair or reconstruct the unit or structure has been obtained from the Code Enforcement Officer within that time. If a building permit is so obtained, the unit or structure must be repaired or reconstructed within thirty- (30) days of the issuance, or removed at the expiration of that time.

M. PLACEMENT OF BOTTLED GAS

Bottle gas tanks shall not be placed such that they face a street or road.

N. CONVERSION OF PARK

No individual lot in a mobile home park may be sold or conveyed, unless said lot meet or exceeds the minimum lot size requirement of the district in which it is located.

O. PARK ADMINISTRATION

The owner, developer, or manager of a mobile home park shall be responsible for ensuring the maintenance of all park-owned structures and their sites. Park management shall conform to State laws. Compliance with this Ordinance shall not exempt the park owner, developer, or manager from complying with other applicable local, state, and federal ordinances, statutes, and rules.

SECTION VI: DEFINITIONS

A. CONSTRUCTION OF LANGUAGE

In this Ordinance, certain terms and words shall be interpreted as follows:

1. The words “person” and “applicant” includes individuals, firms, associations, corporations, organizations, and similar entities;
2. Words used or defined in one tense or form shall include other tenses or derivative forms;
3. Words in the singular shall include the plural number and words in the plural shall include the singular number;
4. The masculine gender shall include the feminine and the feminine shall include the masculine;
5. The word “shall” is mandatory;
6. The word “may” is permissive;
7. In case of difference of meaning or implication between the text of this Ordinance and any map, illustration, or table, the text shall control.

B. DEFINITIONS

For the purpose of interpreting this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

ACCESSORY STRUCTURE:

A structure incidental and subordinate to the principal structure;

BUILDING:

Any structure, either temporary or permanent, having a roof, awning, or other covering, containing three (3) or more enclosed sides, and designed or used for the shelter or enclosure of any person, animal, or property of any kind;

CODE ENFORCEMENT OFFICER:

A person appointed by the Town to administer and enforce Town Ordinances. Reference to the Code Enforcement Officer shall include Building Inspector, Plumbing Inspector, Electrical Inspector and the like if applicable.

LICENSEE:

The owner of a mobile home park or the applicant for a mobile home park license. These terms (applicant, owner, licensee) are interchangeable unless the next indicates otherwise.

LICENSING AUTHORITY:

The Code Enforcement Officer of the Town of Searsport.

MANUFACTURED HOUSING:

A structure or structural unit or units designed for occupancy and constructed in a manufacturing facility and transported by the use of its own chassis, or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. Two types of manufactured housing are included under this definition:

- a) Mobile Homes: Those units constructed after June 15, 1976 which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which, in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air-conditioning, or electrical systems contained in the unit; except that the term shall include any structure which meets all the requirements of this paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et. Seq.; and
- b) Modular Homes: Those units which the manufacturer certifies are constructed in compliance with the State's Manufactured Housing Act and regulations, meaning structures transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning, or electrical systems contained therein.

MOBILE HOME PARK LOT:

An area of land in a mobile home park used for installation of a mobile home and the exclusive use of its occupants.

MOBILE HOME PARK:

A parcel of land under unified ownership approved by the Town of Searsport for the placement of three (3) or more manufactured homes.

MOBILE HOME PARK SUBDIVISION OR DEVELOPMENT:

A parcel of land approved by the Planning Board under the Searsport Subdivision Ordinance and Title 30-A, MRSA, Section 4401 for the placement of manufactured houses on individually owned lots.

PERMANENT FOUNDATION:

A permanent foundation includes any of the following:

- a) A full, poured concrete or masonry foundation;
- b) A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor; and
- c) A reinforced, floating concrete pad.

RECREATIONAL VEHICLE:

A vehicle or vehicular attachment designed for human temporary living quarters for one (1) or more persons, such as a pick-up camper, travel trailer, tent trailer, or motor home.

SECTION VII VIOLATIONS AND ENFORCEMENT

A. VIOLATION.

Any construction of buildings or structures, and any use of land, buildings or structures except in conformance with the provisions of this Ordinance shall be deemed a violation of this Ordinance and a nuisance.

B. CODE ENFORCEMENT OFFICER.

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct the violation, including discontinuance of illegal use of land, buildings, structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record.

C. LEGAL ACTIONS.

When the above does not result in the correction or abatement of the violation or nuisance condition, the Selectmen, upon notice from the Code Enforcement Officer, are hereby authorized to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of the Ordinance in the name of the municipality.

D. PENALTIES.

Any person or persons who violate any provision(s) of this Ordinance or any permit issued under

the provisions of this Ordinance, shall be subject to civil penalties in accordance with the provisions of Title 30-A MRSA § 4452.

E. CONTRACTOR LIABILITY.

Any contractor involved in any activity regulated by the provisions of this Ordinance may be held liable for violating this Ordinance if the necessary permits for said activity have not been obtained or if work performed by the contractor does not conform to all conditions of approval of the permit or the terms of this Ordinance.

SECTION VIII APPEALS

APPEALS

The Board of Appeals shall hear appeals from final decisions of the Code Enforcement Officer and Planning Board on decisions to grant or deny permits or approvals pursuant to this Ordinance in accordance with the Town's Board of Appeals Ordinance. Appeals shall be filed within 30 days of the Code Enforcement Officer or Planning Board's official, written decision on the application.

SECTION IX ADOPTION

This ordinance was submitted to the voters of Searsport and adopted at a regular Town Meeting held on the 7th day of March 2020.

This is a true and attested copy by: Deborah Plourde

Deborah Plourde, Town Clerk